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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/584,174	06/23/2006	Christian Bilgen	HM - 703PCT	4745
40570	7590	03/12/2009		
FRIEDRICH KUEFFNER 317 MADISON AVENUE, SUITE 910 NEW YORK, NY 10017			EXAMINER BONK, TERESA	
			ART UNIT 3725	PAPER NUMBER
			MAIL DATE 03/12/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/584,174	Applicant(s) BILGEN ET AL.	
	Examiner TERESA BONK	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6/23/06</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regards to claim 1, the limitation that requires: applying a lubricant “before” the rolling stock enters the roll gap of a rolling stand, is indefinite because it is unknown how the continuous rolling stock can be lubricated prior to entering the roll gap because the material would be continuously in the roll gap.

There is insufficient antecedent basis for these limitations: (claim 3 and 5) “the second stand” and (claims 4 and 6) “the third stand.” Also in claims 3- 6, “each (desired) subsequent stand” is indefinite because it is unknown what is “desired” or how many “subsequent” stands exists.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Bridenbaugh et al. (US Patent 3,911,704), as best understood. Bridenbaugh discloses a method for the rolling of rolling stock (4), especially for the rolling of hot-rolled wide strip in a finishing train or a continuous casting installation, in which a lubricant is applied directly to the surface of the work rolls (2), before the rolling stock enters the roll gap of a rolling stand, wherein a strongly adherent lubricant film (it is considered to be that the lubricant applied to the roll surfaces leaves a film) forms on the surface of the work rolls and leads to reduction of friction in the roll gap as an intermediate layer between the roll and the rolling stock, wherein the lubricant is applied over the entire length of the rolling stock, and therefore the lubricating effect acts over the entire length of the rolling stock (Column 2, lines 30-36).

Claims 1 and 3-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Cofer et al. (US Patent 3,766,763), as best understood. Cofer discloses a method for the rolling of rolling stock, especially for the rolling of hot-rolled wide strip in a finishing train or a continuous casting installation, in which a lubricant is applied directly to the surface of the work rolls (32), before the rolling stock enters the roll gap of a rolling stand, wherein a strongly adherent lubricant film (it is considered to be that the lubricant applied to the roll surfaces leaves a film) forms on the surface of the work rolls and leads to reduction of friction in the roll gap as an intermediate layer between the roll and the rolling stock, wherein the lubricant is applied over the entire length of the rolling stock, and therefore the lubricating effect acts over the entire length of the rolling stock (Figures 2 and 5, Column 5, lines 55-61).

With regards to claims 3-6, as best understood, Cofer discloses multiple roller stands; that

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is, second, third, and subsequent stands, and the lubricant is applied in all these stands (Column 6, lines 42-60).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bridenbaugh or Cofer in view of Kajiwara et al. (US Patent 5,768,927), as best understood. Bridenbaugh and Cofer both disclose the invention substantially as claimed except for wherein a lubrication system feeds lubricant from a reservoir to the work rolls or backup rolls through lines and nozzles is turned on 5-15 seconds before the rolling stock enters the rolling stand. Kajiwara is relied upon to teach a lubrication system that feeds lubricant from a reservoir (26) to the work rolls through lines (Figure 5) and nozzles (1) by a lubricant controller (50) that receives signals and commences spraying based on the presence of the material (Column 11, lines 15-27). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a controller to turn on the lubrication system 5-15 seconds before the rolling stock enters the rolling stand in order to limit the waste of lubricant while still reducing the friction between the rolls and the material, prolonging the life of the rolls and increasing the quality of the product.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TERESA BONK whose telephone number is (571)272-1901. The examiner can normally be reached on Monday-Friday 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dana Ross can be reached on 571-272-4480. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dana Ross/
Supervisory Patent Examiner, Art Unit 3725

Teresa M. Bonk
Examiner
Art Unit 3725